Supreme Court, U.S.
FILED

061114 JAN 18 2007

OFFICE OF THE CLERK

No. _____

IN THE

SUPREME COURT OF THE UNITED STATES

Chizoba W. Nwadiogbu,
Petitioner

v.

Department of Education
Respondents

On Petition for Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit

PETITION FOR WRIT OF CERTIORARI

Chizoba Nwadiogbu
565 7th Street
Brooklyn, N.Y. 11215
917-640-9168

OFFICE OF THE CLERK

JAN 18 2007

QUESTION PRESENTED

Derogation and negligence was clearly established.

Why wasn't federal law administered?

LIST OF PARTIES

All parties appear in the caption of the case on the cover page.

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TABLE OF AUTHORITIES CITED

CASES	APPENDIX
06-1306 United States Court of Appeals	A
02-06-2111 Department of Education (OCR)	B, D

IN THE

SUPREME COURT OF THE UNITED STATES

Chizoba W. Nwadiogbu

v.

Department of Education

On Petition for Writ of Certiorari to the United States Court of Appeals for the District of Columbia Circuit

PETITION FOR WRIT OF CERTIORARI

Notice is hereby given this the **17 day of January 2007** that petitioner Chizoba W. Nwadiogbu hereby petitions the United States Supreme Court for review of the United States Court of Appeals for the District of Columbia Circuit judgment/order entered the **21 day of December 2006.** Petitioner respectfully prays that a writ of certiorari is to review the judgment below.

OPINIONS BELOW

The opinion of the United States Court of Appeals appears at **Appendix A** to the petition and is **unpublished.**

JURISDICTION

The date on which the United States Court of Appeals decided my case was **21 Dec 2006**. No petition for rehearing was filed in my case. The jurisdiction of this court is invoked under **28 U.S.C. § 1254(1).**

STATEMENT OF THE CASE

ATTN: JUDICIAL EVASION; DERELICTION

On August 21, 2006, I filed a case (Petition for Review) with the **U.S. Court of Appeals for the District of Columbia Circuit** concerning **derogation and negligence** on the part of **the Department of Education** (with regards to veteran discrimination at The New School; Title VI NATIONAL ORIGIN). I have submitted official documentation, including conclusive support. **Yet they have failed to execute federal law faithfully, shirked authority/responsibility, and have needlessly prolonged the litigation process.** Their unscrupulous actions have led to additional agony and distress. Therefore, I am left with no other alternative but to ask for assistance so that federal law can be properly enforced and violators be fully prosecuted.

REASONS FOR GRANTING WRIT

The reasons for granting the writ are obvious; federal law has yet to be applied.

CONCLUSION

The petition for a writ of certiorari should be granted.

Respectfully submitted,

Chizoba Nwadiogbu
January 17, 2007

UNITED STATES COURT OF APPEALS
For the District of Columbia Circuit

No. 06-1306 **September Term, 2006**

Chizoba W. Nwadiogbu,
Petitioner

v.

Department of Education,
Respondent

Filed On:

Dec 21 2006
CLERK

BEFORE: Henderson, Randolph, and Tatel, Circuit Judges

ORDER

Upon consideration of the motion to expedite and the opposition thereto; the motion to request a panel; the motion to dismiss; and the order to show cause filed November 2, 2006 and the response thereto, it is

ORDERED that the order to show cause be discharged. It is

FURTHER ORDERED that the motion to request a panel be denied. It is

FURTHER ORDERED that the motion to dismiss be granted. Appellant has not met his burden of demonstrating that this court has subject matter jurisdiction over his petition for review. See

Georgiades v. Martin-Trigona, 729 F.2d 831, 833 n.4 (D.C. Cir.1984). It is

FURTHER ORDERED that the motion to expedite be dismissed as moot.

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance that the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam

/s/ _____
/s/ _____
/s/ _____

United States Department of Education
Office for Civil Rights
32 Old Slip, 26th Floor
New York, New York 10005

July 25, 2006

Randolph E. Wills
Director
New York Office
Eastern Division

Section Break (Continuous)

Mr. Chizoba Nwadiogbu
300 West 20th Street, Apt. 3F8
New York, New York 10011

Re: Case No. 02-06-2111

Dear Mr. Nwadiogbu:

On June 29, 2006, the U. S. Department of Education, New York Office for Civil Rights (OCR) received your complaint against the New School University (the University). You alleged the University discriminated against you based on your veteran status.

OCR is responsible for enforcing five federal regulations that prohibit discrimination on the basis of race, color, national origin, sex, age, and disability in programs or activities that receive federal financial assistance from the United States Department of Education (the Department). OCR has carefully reviewed your complaint and determined that the facts as you alleged them do not raise a compliance issue under any of the regulations enforced by OCR. However, you may wish to file your complaint with

the U.S. Department of Veteran Affairs. You may do so by sending you complaint to the following address:

U.S. Department of Veterans Affairs
245 West Houston St.
New York, NY 10014

This concludes OCR's consideration of your complaint.

Under the Freedom of Information Act, 5 U. S. C. § 552, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the event provided by the law, personal information which, if released, could constitute an unwarranted invasion of privacy.

We regret that we cannot be of assistance to you in this matter.

Sincerely,

/s/ _____
John. F Carroll
Compliance Team Leader

Derogation; Negligence

On June 29, 2006, I filed a complaint with U.S. Department of Education Office for Civil Rights concerning discrimination via financial aid infringement at The New School. **I have provided irrefragable evidence based on fact. However, OCR staff has failed to follow customer service standards in relieving my complaint in a prompt, appropriate manner.** Instead [they] created unnecessary deliberation with procedural delays; preposterously claiming to have no jurisdiction over discriminatory conduct at educational institutions. **OCR is responsible for resolving complaints of discrimination.** OCR's mission is not to honor my conviction by disambiguating it into a superficial disassociation. Their job is to find out which statute my discriminatory case falls under (Title VI or Title IX) by deciphering my plea. Veteran discrimination falls under **national origin**.

MEMORANDOM FOR U.S. COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

FROM: 565 7th Street
Brooklyn, NY 11215

SUBJECT: Nullification of Dispositve Motion

Case No. 06-1306

On July 31 2006, I notified them of their judgmental error, but they decided to derogate, again. The apathy is apparent in their impudent response. They remained willfully blind, dishonest, and inconsiderate. Thereof, I ask that you negate/reject the bogus motion based on **conclusive evidence** and proceed with immediate prosecution.

SIGNED //
Chizoba Nwadiogbu

Appendix D

From: Ginter, Michele <Michele.Ginter@ed.gov>
Sent: Thursday, August 10, 2006 3:39 PM
To: "Chiz Wilson" <wchiz@hotmail.com>
Subject: Case No.: 02-06-2111

Re: Case No.: 02-06-2111

Dear Mr. Wilson,

On July 31, 2006, OCR received your email requesting that OCR review our determination regarding your complaint. On August 3, 2006, OCR attempted to contact you by telephone to confirm that you are requesting a reconsideration of your complaint and to explain our reconsideration procedures. However, our attempt was unsuccessful. Please be advised that if you are requesting a reconsideration, you may send a written request to the New York Office Director, Mr. Randolph E. Wills, at the U.S. Department of Education, New York Office for Civil Rights, 32 Old Slip, New York, New York 10005, within 60 days of the date of the letter OCR sent you on July 25, 2006. Any such request should be as specific as possible and focus on factual or legal concerns that you believe may change the determination. You should explain why you believe the determination was incorrect, i.e., why the factual information was incomplete, the analysis of the facts was incorrect, the legal standard was not applied correctly, and/or the incorrect legal standard was applied. The Director will respond in writing.

If you would like your July 31st email to be considered your official request for reconsideration, please state such in writing. Any supporting

documentation you would like to submit must also be received within the timeframe described.

Sincerely,

Michele Ginter

Equal Opportunity Specialist